

CITY OF HAYWARD
AGENDA REPORT

AGENDA DATE 12/20/05

AGENDA ITEM 4

WORK SESSION ITEM _____

TO: Mayor and City Council

FROM: City Clerk

SUBJECT: Adoption of an Ordinance Amending Chapter 4 of the Hayward Municipal Code by the Addition of Article 10 Relating to Aggressive Solicitation

RECOMMENDATION:

It is recommended that the City Council adopt the attached Ordinance.

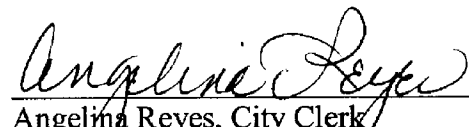
BACKGROUND:

The ordinance was introduced at the December 13, 2005, meeting of the City Council with the following vote:

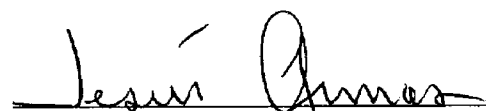
AYES:	Council Members:	Jimenez, Halliday, Quirk, Ward, Dowling, Henson
	Mayor:	Cooper
NOES:	Council Members:	None
ABSENT:	Council Members:	None
ABSTAIN:	Council Members:	None

The ordinance was published in the Hayward Daily Review on December 17, 2005. Adoption at this time is therefore appropriate.

Prepared by:


Angelina Reyes, City Clerk

Approved by:


Jesús Armas, City Manager

Draft Ordinance

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY
COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE AMENDING CHAPTER 4 OF THE
HAYWARD MUNICIPAL CODE, BY THE ADDITION OF
ARTICLE 10 RELATING TO AGGRESSIVE SOLICITATION

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN
AS FOLLOWS:

Section 1. Chapter 4 of the Hayward Municipal Code is hereby amended to add Article 10 thereto, referring to Aggressive Solicitation, to read in full as follows.

SEC. 4-10.00 TITLE. This article shall be known as the "Aggressive Solicitation Ordinance."

SEC. 4-10.01 FINDINGS

SEC. 4-10.02 PURPOSE

SEC. 4-10.03 DEFINITIONS

SEC. 4-10.04 AGGRESSIVE SOLICITATION PROHIBITED

SEC. 4-10.05 ALL SOLICITATION PROHIBITED AT SPECIFIED LOCATIONS

SEC. 4-10.06 PENALTY

SEC. 4-10.07 NON-EXCLUSIVITY

Section 2. Severance. Should any part of this ordinance be declared by a final decision by a court or tribunal of competent jurisdiction to be unconstitutional, invalid, or beyond the authority of the City, such decision shall not affect the validity of the remainder of this ordinance, which shall continue in full force and effect, provided that the remainder of the ordinance, absent the unexcised portion, can be reasonably interpreted to give effect to the intentions of the City Council.

Section 3. Repeal of Ordinance. Upon the adoption of this ordinance, Ordinance No. 94-03, shall be rescinded and repealed in its entirety.

Section 4. In accordance with the provisions of Section 620 of the City Charter, this ordinance shall become effective 30 days from and after the date of its adoption.

Introduced at a meeting of the Hayward City Council held December 13, 2005, the above-entitled ordinance was introduced by Council Member Ward.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on December 20, 2005, at 8:00 p.m., in the Council Chambers, 777 B Street, Hayward, California. The full text of this ordinance is available for examination by the public in the Office of the City Clerk.

DATED: December 17, 2005

Angelina Reyes, City Clerk
City of Hayward